

Attorney Docket No. 10559-393001
Application No. 09/823,276
Amendment dated May 6, 2004
Reply to Office Action dated February 6, 2004

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Applicants have reviewed the specification as requested.

The disclosure stands objected to due to lack of a summary section. Note that Rule 77, and other comparable rules, makes the inclusion of a summary section entirely voluntary. Intel Corp. has taken the corporate position that they prefer to omit summaries from their applications. Accordingly, a summary section has been provided. This should not affect the understandability of the application, and, since this is not required by any rule, it is respectfully requested that objection be withdrawn.

The abstract has been amended to remove the objected to subject matter.

Claim 6 stands rejected under 35 USC 112 as allegedly being indefinite. In response, claim 6 has been amended to obviate the lack of antecedent basis.

Claims 1-3, 6-8, 12, 15 and 19 stand rejected under 35 USC 102(b) as allegedly being unpatentable over Kishigami. Kishigami does in fact teach flushing a future file over multiple cycles, but teaches that as an undesirable option which

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may need to be carried out, in certain circumstances. In order to emphasize the distinctions over Kishigami, the claims are amended herein.

Specifically, Kishigami refers to a "prototype" beginning at column 18, and that the prototype requires 16 cycles to empty the 16 general-purpose registers. It is apparent that 16 cycles are absolutely necessary to empty these registers, since Kishigami describes in column 18, lines 25-27 and 46-49, that this is undesirable, and that it can "deteriorate performance of the microprocessor".

Therefore, it is clear that the only time that Kishigami will restore the future file over more than one clock cycle, is when that is the only alternative. More specifically, whenever the future file is capable of being restored over a single clock cycle, it will be so restored.

On the other herein, the present system teaches quite the opposite. For example, paragraph 23 describes that it is possible in this kind of system to restore the future file over a single clock cycle. Paragraph 27 teaches that even though this could be done over a single clock cycle, it is spread over multiple clock cycles in order to reduce the overall power consumption.

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Kishigami does not teach or suggest a future file "which is capable of being restored in a single clock cycle" but yet is restored "over more than one clock cycle when the termination occurs" as defined by claim 1. Rather, Kishigami teaches that a special prototype which requires multiple clock cycles to restore the future file is restored over those multiple clock cycles, but only because that is absolutely necessary. Kishigami describes the general undesirability of restoring a future file over multiple clock cycles. This demonstrates the unobviousness of the present system which specifically teaches restoring a future file over more than one clock cycle even though that future file is capable of being restored in a single clock cycle.

Claim 1 defines the subject matter, and specifically accessing the future file which is capable of being restored in the single clock cycle, and restoring that future file over more than one clock cycle when the termination occurs. Therefore, claim 1 defines subject matter which is novel over Kishigami, and which goes against the express teaching in Kishigami. Therefore, claim 1 should be allowable for these reasons.

Claim 7 has been amended to recite comparable limitations, and should be allowable for reasons discussed above, along with the claims which depend therefrom.

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Claim 15 has also been similarly amended to distinguish over the cited prior art for analogous reasons to those discussed above.

Each of the dependent claims should be allowable for similar reasons to those discussed above. Certain dependent claims were rejected over Kishigami either in view of Ozer or Patterson, and neither these make up the missing teaching discussed above. Specifically, no reference cited in the case is in any way suggestive of restoring a future file over multiple clock cycles even though we could have been restored over a single clock cycle. In fact, this goes quite against the established teaching in the art.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any

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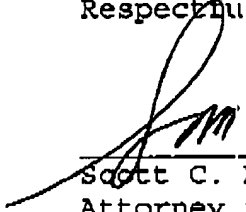
claim does not necessarily signify concession of unpatentability
of the claim prior to its amendment.

In view of the above amendments and remarks, therefore, all
of the claim should be in condition for allowance. A formal
notice to that effect is respectfully solicited.

Please apply any charges or credits to Deposit Account
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Respectfully submitted,

Date: 05/06/2004



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